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07/686,210

04/16/91

BERNAUER

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8468

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REAMER, J

126

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05/28/91

☐ This application has been examined ☐ Responsive to communication filed on \_\_\_\_\_ ☐ This action is made final.

A shortened statutory period for response to this action is set to expire \_\_\_\_\_ month(s), 30 days from the date of this letter.  
Failure to respond within the period for response will cause the application to become abandoned. 35 U.S.C. 133

Part I THE FOLLOWING ATTACHMENT(S) ARE PART OF THIS ACTION:

- |   |  |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited by Examiner, PTO-892.        | 2. <input type="checkbox"/> Notice re Patent Drawing, PTO-948.                   |
| 3. <input type="checkbox"/> Notice of Art Cited by Applicant, PTO-1449.             | 4. <input type="checkbox"/> Notice of Informal Patent Application, Form PTO-152. |
| 5. <input type="checkbox"/> Information on How to Effect Drawing Changes, PTO-1474. | 6. <input type="checkbox"/> _____  |

Part II SUMMARY OF ACTION

1. ☒ Claims 1 to 30 are pending in the application.

Of the above, claims \_\_\_\_\_ are withdrawn from consideration.

2. ☐ Claims \_\_\_\_\_ have been cancelled.

3. ☐ Claims \_\_\_\_\_ are allowed.

4. ☐ Claims \_\_\_\_\_ are rejected.

5. ☐ Claims \_\_\_\_\_ are objected to.

6. ☒ Claims 1 to 30 are subject to restriction or election requirement.

7. ☐ This application has been filed with informal drawings under 37 C.F.R. 1.85 which are acceptable for examination purposes.

8. ☐ Formal drawings are required in response to this Office action.

9. ☐ The corrected or substitute drawings have been received on \_\_\_\_\_. Under 37 C.F.R. 1.84 these drawings are ☐ acceptable. ☐ not acceptable (see explanation or Notice re Patent Drawing, PTO-948).

10. ☐ The proposed additional or substitute sheet(s) of drawings, filed on \_\_\_\_\_ has (have) been ☐ approved by the examiner. ☐ disapproved by the examiner (see explanation).

11. ☐ The proposed drawing correction, filed on \_\_\_\_\_, has been ☐ approved. ☐ disapproved (see explanation).

12. ☒ Acknowledgment is made of the claim for priority under U.S.C. 119. The certified copy has ☐ been received ☐ not been received  
☐ been filed in parent application, serial no. 22,891; filed on 3/6/87

13. ☐ Since this application appears to be in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11; 453 O.G. 213.

14. ☐ Other

EXAMINER'S ACTION

Serial No. 07/686,210

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Art Unit 126

Restriction to one of the following inventions is required under 35 U.S.C. § 121:

I. Claims 1-18, drawn to a chemical compounds and compositions, classified in Class 548, 560, 562, 504 and 568, subclass 248+, 30+, 440+, 809+.

II. Claims 19 to 22, drawn to method of treating depression, classified in Class 514, subclass 247+.

III. Claims 23 to 30, drawn to a method of treating Parkinsonism and Parkinson's disease by administering L-dopa, a peripheral decarboxylase inhibitor and a compound of Group I, classified in Class 514, subclass 567+.

Applicants are further required to elect a single disclosed species and to list all claims readable thereon.

The inventions are distinct, each from the other because of the following reasons:

The compounds have been shown by the claiming of two uses for them to possess multiple patentably distinct uses as evidenced by their distinct classification. The two methods of use are themselves patentably distinct because they each require the use of different compounds for the treatment of the different compounds for the treatment of the different conditions.

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Art Unit 126


Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.

Applicant is advised that the response to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Reamer whose telephone number is (703) 308-0323.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 308-1235.

Between the 5th of June and the 12th of June, 1991, Examining Group 120 will be moving from Crystal Plaza Building 2 to Crystal Mall Building 1. During and after this transition period the Examiner can be reached through the Group 120 receptionist (703) 308-1235 which number will remain unchanged after the move. Subsequent to the move the examiner can be reached at (703) 308-4461.

  
JAMES H. REAMER  
PRIMARY EXAMINER  
GROUP 120 - ART UNIT 126

REAMER:nmb  
May 23, 1991